

Merkley Schatz Wyden
Murray Smith
Rosen Udall

NOT VOTING—4

Bennet Sanders
Klobuchar Warren

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from the North Dakota.

Mr. CRAMER. Madam President, I ask unanimous consent that for the nominations just confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. CRAMER. Madam President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Virginia.

MOTION TO DISCHARGE—S.J. RES. 68

Mr. KAINE. Madam President, pursuant to section 1013 of the Department of State Authorization Act for Fiscal Years 1984 and 1985 and in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976, I move to discharge the Foreign Relations Committee from further consideration of S.J. Res. 68.

The PRESIDING OFFICER. The motion is pending.

Mr. KAINE. I ask unanimous consent to yield back all time on the motion to discharge.

The PRESIDING OFFICER. Is there objection?

There being no objection, the question is on agreeing to the motion to discharge.

The motion is agreed to.

DIRECTING THE REMOVAL OF UNITED STATES ARMED FORCES FROM HOSTILITIES AGAINST THE ISLAMIC REPUBLIC OF IRAN THAT HAVE NOT BEEN AUTHORIZED BY CONGRESS—MOTION TO PROCEED

Mr. KAINE. Madam President, I move to proceed to S.J. Res. 68.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to S.J. Res. 68, a joint resolution to direct the removal of United States Armed Forces from hostilities against the Islamic Republic of Iran that have not been authorized by Congress.

Mr. KAINE. Madam President, finally, I ask unanimous consent that the time until 2 p.m. be equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Virginia.

Mr. KAINE. Madam President, I now rise to speak to the body in favor of the bipartisan War Powers Resolution, S.J. Res. 68, which is now pending before the Senate.

Before I address the resolution, I want to acknowledge the combat deaths of SFC Javier Gutierrez and SFC Antonio Rodriguez. Both of these Army sergeants, sergeants first class, were 28-year-olds who were killed last week in Afghanistan. While the incident is still under investigation, it appears that they were killed by a member of the Afghan security forces or somebody posing as a member of the Afghan security forces. As we know well, this is a security force that the United States has armed, equipped, and trained for 19 years.

Sergeant Gutierrez leaves behind a wife, Gabby, and four children, ages 2 through 7. His grandfather was a POW during World War II, and his father was a marine. He had previously deployed both to Iraq and Afghanistan.

Sergeant Rodriguez leaves behind a wife, Ronaleen. He had previously deployed to Afghanistan 10 times. I thought that was a misprint when I read it—a 28-year-old who had previously deployed to Afghanistan 10 times before he was killed.

We honor their memories and send our condolences to their families as well.

The resolution before the body today is about Congress reclaiming its rightful role in decisions about war. The resolution is pretty simple: We should not be at war with Iran unless Congress votes to authorize such a war.

While the President does and must always have the ability to defend the United States from imminent attack, the Executive power to initiate war stops there. An offensive war requires a congressional debate and vote.

This should not be a controversial proposition. It is clearly stated in the Constitution we pledge to support and defend. The principle is established there for a most important reason. If we are to order our men and women, like Sergeants Rodriguez and Gutierrez, to risk their lives and health in war, it should be on the basis of careful deliberation by the people's elected legislature and not on the say-so of any one person.

Congressional deliberation educates the American public about what are the stakes, what are the stakes involved in any proposed war.

Congressional deliberation allows Members of Congress to ask tough questions about the need for war, about the path to victory, and about how a victory can be sustained. And if fol-

lowing that public deliberation, there is a vote of Congress for war, it represents a clear statement that a war is in the national interest and that the efforts of our troops are supported by a clear political consensus. We should not allow this important process to be short-circuited.

Our Framers believed that the congressional deliberation would be the best antidote to unnecessary escalation.

I have spoken often about this topic on the floor during the 7 years I have been in the Senate, and I don't want to repeat arguments that I have made dozens and dozens of times here, but I do want to address at least three objections that I have made to this resolution.

First, there is an objection that says the bipartisan resolution is "an effort to restrain President Trump's powers." This is not a resolution about the President. The resolution does not say anything about President Trump or any President. It is a resolution about Congress.

I want a President that will fully inhabit the article II powers of Commander in Chief, but as a Member of the Article I branch, I want an article I branch that would fully inhabit the article I powers, including the sole power to declare war. This is not an effort to restrain President Trump or some other President. This is not an effort by a Democrat to point a finger or to restrain Republicans. No. In the history of this country, even in recent history, I believe we have often gotten it wrong with respect to the initiation of war, whether the President was a Democrat or Republican or whether the majority in Congress was Democratic or Republican.

The legislative branch, article I, has allowed too much power to devolve to the Executive in this fundamental question of whether the Nation should be at war. This is not directed toward President Trump. It would apply equally to any President. It is fundamentally about Congress owning up to and taking responsibility for the most significant decisions that we should ever have to make.

A second argument against the bill that I have heard made on the floor in recent days is that it would send a message of weakness to Iran or to other adversaries. I have to admit, I am more interested in the message that we send to the American public and to our troops and to our families. That is the message I am most interested in.

As a father of a marine and as a Senator from a State that is just chock-full of Active-Duty Guard and Reserve veterans, DOD civilian and DOD contractor military families, this bill sends a very strong and powerful message to our public and to our troops and their families that before we get into a war, there will be a careful deliberation about whether it is necessary.

That is a message of comfort. That is a message that can give our own public